



San Bernardino County

Legislation Text

File #: 4818, Agenda Item #: 18

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION

September 14, 2021

FROM

CASONYA THOMAS, Assistant Executive Officer, Community Revitalization

SUBJECT

Reducing Risk of Fires Associated with Encampments in Unincorporated County Very High Fire Hazard Severity Zones

RECOMMENDATION(S)

1. Adopt Resolution that takes various actions associated with encampments located in Very High Fire Hazard Severity Zones to prevent or mitigate the occurrences of fire and the corresponding loss and/or injury to life and/or property.
2. Find the actions in the Resolution are not a project pursuant to the California Environmental Quality Act (CEQA) since they are activities that are excluded from the definition of a project by section 21065 of the California Public Resources Code and section 15378(b) of the State CEQA Guidelines, or, in the alternative, are exempt from CEQA as specific actions necessary to prevent or mitigate an emergency pursuant to section 21080(b)(4) and section 15269(c) of the State CEQA Guidelines.

(Presenter: CaSonya Thomas, Assistant Executive Officer)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Any cost associated with enforcing this Resolution will be funded within each department's existing budget allocation.

BACKGROUND INFORMATION

Wildfires are a frequent natural disaster in California, causing significant harm and loss to individuals, communities, wildlife, and great parts of natural landscape. The duration and size of wildfires have increased over the last several decades. Researchers at the University of California, Irvine have found that California's wildfire problem has been getting worse with each passing year of the 21st century and the State's burn season has lengthened in the past two decades. The burn season generally ends November of each calendar year.

According to the California Office of the State Fire Marshal, while most of California is subject to some degree of fire hazard, there are specific features that make some areas more hazardous. The California Department of Forestry and Fire Protection (CAL FIRE) is required by law to map areas of significant fire hazards based on

fuels, terrain, weather, and other relevant factors. These designations, referred to as “Fire Hazard Severity Zones” (FHSZ), mandate how people construct buildings and protect property to reduce risk associated with wildland fires. The FHSZ maps are developed using a science-based and field-tested model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior. CAL FIRE maps also include Very High Fire Hazard Severity Zones (VHFHSZ), which are the most wildfire prone areas. The CAL FIRE VHFHSZ map is available for public review at <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>. VHFHSZ exist in unincorporated areas of San Bernardino County.

Concurrently, the 2020 Point-in-Time Homeless Count identified over 3,000 San Bernardino County residents experiencing homelessness; 76% of whom are unsheltered. Many people experiencing homelessness take refuge in encampments in remote, mountainous regions identified as very high fire hazard severity zones, increasing the risk of fires starting and causing harm and loss of life and property. People located in encampments in the unincorporated region of San Bernardino County VHFHSZ (Unincorporated County Region VHFHSZ) may miss emergency notifications and may experience challenges in safely evacuating a fire area. Efforts to notify or evacuate people in encampments located in the Unincorporated County Region VHFHSZ can cause undue risk and/or harm to outreach workers and emergency responders. Encampments in the Unincorporated County Region VHFHSZ pose a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, and/or essential services.

Recognizing the same or similar risks of encampments, on August 10, 2021, the Los Angeles County Board of Supervisors moved to prohibit homeless encampments in the unincorporated Los Angeles County region designated VHFHSZ.

In order to prevent or mitigate the occurrences of fire and the corresponding loss and/or injury to life and/or property, the proposed Resolution acknowledges that encampments in the Unincorporated County Region VHFHSZ under certain circumstances are prohibited under existing laws. Upon adoption of the Resolution, encampments and other activities that could increase the risk of fire within Unincorporated County Region VHFHSZ will be identified. A collaborative effort among San Bernardino County Fire Protection District, Sheriff's Department and Community Revitalization Group will notify unsheltered residents and property owners in these high-risk areas of applicable prohibitions and will provide outreach and offer resources of relocation for people experiencing homelessness. These encampments will be prioritized based on risk levels associated with location, access, terrain and fuels. The Resolution also directs the Sheriff to assist in examining Unincorporated County Region VHFHSZ with the goal of keeping these areas free of encampments consistent with applicable law. Finally, the Resolution directs the Code Enforcement division of Land Use Services to assist in the notification for the removal of these encampments.

The actions identified in the Resolution are not a project pursuant to CEQA since they are activities that are excluded from the definition of a project by section 21065 of the California Public Resources Code and section 15378(b) of the State CEQA Guidelines. The actions are organizational or administrative activities of government which will not result in direct or indirect physical changes in the environment. In the alternative, the actions are exempt from CEQA as specific actions necessary to prevent or mitigate an emergency pursuant to section 21080(b)(4) and section 15269(c) of the State CEQA Guidelines.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Supervising Deputy County Counsel, 387-5455) on September 9, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on September 9, 2021.